

EXHIBIT G

1
COPY

2 UNITED STATES DISTRICT COURT

3 EASTERN DISTRICT OF NEW YORK

4 -----
5 FRED LEE AND ANN LEE,

Plaintiff,

6 - against -

7 UNION MUTUAL FIRE INSURANCE,

8 Defendant.
9 -----

10 Held Via Zoom

11
12
13 June 24, 2021
14 2:04
15

16 EXAMINATION BEFORE TRIAL OF THE

17 Non-Party Witness, FREDERICK V. HARPER, taken by
18 Plaintiff, pursuant to Order and held at the
19 above-mentioned time and place before a Notary
20 Public of the State of New York.
21
22
23
24
25

All-Star Reporters
800-329-9222

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

GREENBLATT & AGULNICK, P.C.
Attorneys for Plaintiffs
55 Northern Boulevard, St 302
Great Neck, New York 11021
BY : SCOTT E. AGULNICK, ESQ.

HURWITZ & FINE, P.C.
Attorney for Defendant
1300 Liberty Building
Buffalo, New York 14202
BY : ERIC T. BORON, ESQ.

-oOo-

All-Star Reporters
800-329-9222

2 IT IS HEREBY STIPULATED AND AGREED by
3 and among the attorneys for the respective
4 parties hereto, that:

5
6 All rights provided by the C.P.L.R.,
7 including the right to object to any
8 question or to move to strike any testimony
9 at this examination, are reserved; and, in
10 addition, the failure to object to any
11 question or to move to strike testimony at
12 this examination shall not be a bar or
13 waiver to make such motion at, and is
14 reserved for, the trial of this action.

15
16 IT IS HEREBY STIPULATED AND AGREED
17 that this deposition may be sworn to by the
18 witness being examined before a Notary
19 Public other than the notary Public before
20 whom this examination was begun, but the
21 failure to do so or to return the original
22 of this examination to counsel, shall not be
23 deemed a waiver of the rights provided by
24 Rules 3116 and 3117 of C.P.L.R., and shall
25 be controlled thereby.

All-Star Reporters
800-329-9222

2
3 IT IS HEREBY STIPULATED AND AGREED
4 that the filing and certification of the
5 original of this examination shall be the
6 same and thereby waived; and that a copy of
7 the transcript shall be furnished to counsel
8 representing the witness herein, without
9 charge.

10 -oOo-
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

All-Star Reporters
800-329-9222

2 COURT REPORTER: The attorneys
3 participating in this deposition
4 acknowledge that I am not physically
5 present in the deposition room and that
6 I will be reporting from this deposition
7 remotely. They further acknowledge
8 that, in lieu of an oath administered in
9 person, the witness will verbally
10 declare his testimony in this matter is
11 under penalty of perjury. The parties
12 and their counsel consent to this
13 arrangement and waive any objections to
14 this manner of reporting.

15
16 Please indicate your agreement by
17 stating your name and agreement on the
18 record.

19 MR. AGULNICK: My name is Scott
20 Agulnick and I agree.

21 MR. BORON: My name is Eric
22 Boron and I agree.

23
24
25
All-Star Reporters
800-329-9222

2 FREDERICK V. HARPER, called as a witness, having
3 been duly sworn, was examined and testified as
4 follows:

5 BY REPORTER:

6 Q Please state your name for the record.

7 A Frederick V. Harper.

8 Q Where do you presently reside?

9 A 52 Greenridge Avenue, White Plains, New
10 York 10605.

11 EXAMINATION BY

12 SCOTT AGULNICK

13 Q Mr. Harper, Good afternoon. My name is
14 Scott Agulnick. I'm an attorney with the law firm
15 of Greenblatt & Agulnick. We represent the
16 plaintiffs in an action brought against Union
17 Mutual.

18 I'm going to ask you a series of
19 questions. My questions today are not designed to
20 trick you or deceive you. If you do not
21 understand any of my questions, please let me know
22 and we'll rephrase it. If you'd like a break for
23 whatever reason, please let us know. The court
24 reporter can only take down verbal responses. She
25 can't take down any kind of hand gestures, etc.

All-Star Reporters
800-329-9222

2 A Okay.

3 Q Mr. Harper, by whom are you employed?

4 A Round Hill Express.

5 Q How long have you been employed by Round
6 Hill Express?

7 A Approximately seven years.

8 Q Are you an actual employee of Round Hill
9 Express or an independent contractor?

10 A Independent contractor.

11 Q Do you have a company that you operate
12 under or is it just Frederick Harper?

13 A Just Frederick Harper.

14 Q What is the nature of the work that you
15 perform for Round Hill?

16 A I inspect properties for insurance.

17 Q Do you perform those services for other
18 insurance companies or just Round Hill Express?

19 A Just Round Hill Express.

20 Q So you perform these inspections
21 exclusively for Round Hill Express and no other
22 company?

23 A Correct.

24 Q Are you engaged in any other occupation
25 or employment, apart from the inspections that you

All-Star Reporters
800-329-9222

2 do for Round Hill Express?

3 A No.

4 Q As you sit here today are you
5 represented by counsel with regard to this matter?

6 A Yes.

7 Q When did you first retain counsel with
8 regard to this matter?

9 A Probably two to three weeks before
10 today.

11 MR. ENGLERT: For the record,
12 we're appearing for the limited purpose
13 of defending Mr. Harper at this
14 deposition. We don't have a retainer
15 agreement signed with him and he's not
16 going to be charged, but we'll be
17 billing Union Mutual for the work.

18 MR. AGULNICK: He's a non-party
19 witness. There's no defending. This is
20 a fact finding mission. In any event,
21 duly noted.

22 Q Prior to testifying here today did you
23 review any documents in connection with this
24 matter?

25 A No.

All-Star Reporters
800-329-9222

2 Q Prior to testifying here today did you
3 perform a search for any documents relevant to any
4 inspection you performed at the property owned by
5 Fred and Ann Lee?

6 A No.

7 Q Do you know what matter you're here for?

8 A Not the details of the case. Just that
9 it was an inspection I performed and I'm here for
10 a deposition.

11 Q Is there a particular process that you
12 follow when you perform inspections for Round Hill
13 Express?

14 A Can you say that again? I'm sorry.

15 Q Is there a particular process or
16 procedure that you follow when you perform an
17 inspection for Round Hill Express?

18 A Yes. As far as the exterior and
19 interior of the home, my job is to look on the
20 outside, front, back, sidewalk, and check for
21 utilities on the inside and stairways for safety
22 reasons.

23 Q When you're assigned a matter how are
24 you assigned a matter?

25 A I'm given an itinerary with an address

All-Star Reporters
800-329-9222

2 and contact number with the date and time.

3 Q What information is contained on the
4 itinerary, other than an address, contact number,
5 date and time?

6 A The person's name and basically who the
7 insurance company or agents are who set up the
8 appointments on that.

9 Q Any other information?

10 A Outside of that just what kind of house
11 it is, if it's brick or frame. That's about it.

12 Q How do you receive this assignment?

13 A I am given an itinerary on a daily
14 basis. The office calls and sets the
15 appointments, I'm given the time and place, it is
16 emailed to me and that's it.

17 Q The itinerary is emailed to you along
18 with the information with regard to the property?

19 A Yes, I'm given a schedule.

20 Q At any point in time did you receive an
21 email in connection with the inspection of the Lee
22 property?

23 A I'm sorry. You broke up. Repeat that.

24 Q Did you ever perform a search for the
25 emails relating to your inspection of the Lee

All-Star Reporters
800-329-9222

2 property?

3 A No.

4 Q Do you still have your emails from June
5 and July of 2017?

6 A No.

7 Q What happened to your emails in June and
8 July of 2017?

9 A Can you explain when you say my emails?

10 Q My question to you is if you were
11 emailed an itinerary in June or July of 2017,
12 would you still have it?

13 A Yes, as far as the itinerary.

14 Q Did you ever perform an inspection of
15 39-11 27th Street in Long Island City, New York?

16 A If it says I was assigned for that, yes.

17 Q Do you have a recollection of performing
18 an inspection at that location?

19 A Unfortunately, no. I perform many
20 inspections so to remember one specific address
21 from four years ago, no.

22 Q How many inspections do you do on a
23 weekly basis?

24 A Thirty to fifty.

25 Q How long does each inspection take on an

All-Star Reporters
800-329-9222

2 average basis?

3 A Approximately ten minutes.

4 Q In connection with each inspection do
5 you take photos?

6 A Yes.

7 Q In 2017 on what device did you take
8 photos?

9 A On a Samsung tablet.

10 Q The photos that you took on the Samsung
11 tablet in 2017, did those photos save to the
12 device, save to the Cloud, both, or something
13 else?

14 A All inspections are synched up to Round
15 Hill Express. They are not kept on my device.

16 Q Approximately how many photos do you
17 take on a typical inspection?

18 A Probably a dozen.

19 MR. AGULNICK: I'm sorry. Can I
20 just pause for a second?

21 (Whereupon, a discussion was held
22 off the record.)

23 Q The instructions as to what to inspect
24 or observe at a property, how are those
25 instructions received? Were they verbal, by email

All-Star Reporters
800-329-9222

2 a memo, or something else?

3 A Verbally and by email.

4 Q When you say by email, is that for each
5 inspection?

6 A Say that again. I'm sorry.

7 Q You have to allow me to finish my
8 question before you start, because the court
9 reporter can only take down one of us.

10 MR. AGULNICK: Read that back
11 please.

12 (Whereupon, the record was read back by
13 the reporter.)

14 Q Or was it blanket instructions?

15 A Blanket instructions.

16 Q When did you receive those blanket
17 instructions for the first time?

18 A The first year of employment.

19 Q What year was that?

20 A 2014.

21 MR. AGULNICK: I'd like this
22 deemed marked as Plaintiff's Exhibit A.
23 (Whereupon, a report was marked as
24 Plaintiff's Exhibit A for
25 identification, as of this date.)

All-Star Reporters
800-329-9222

2 Q I'm going to show you what we're going
3 to deem marked as Plaintiff's Exhibit A for today.
4 Do you see what I have on the screen now?

5 A I see part of it.

6 Q I'll start from the top and scroll to
7 the bottom. Have you ever seen this report
8 before?

9 A No, I can't recall it.

10 Q Does your work product look like this
11 report or do you simply submit or upload
12 photographs and some information to a portal,
13 which thereafter generates a report or something
14 else?

15 A I upload the information and then it is
16 put into the form we're looking at.

17 Q Do you actually see the information that
18 you furnish in this form deemed marked as Exhibit
19 A?

20 A No.

21 Q You would have uploaded full-sized photo
22 files and submitted those to Round Hill Express,
23 correct?

24 A Correct.

25 Q The information that's contained in this

All-Star Reporters
800-329-9222

2 report, the notations, that's just information
3 submitted to Round Hill's portal, is that correct?

4 A Correct.

5 Q The portal that Round Hill utilizes in
6 connection with these inspections, is there a name
7 for that interface or program?

8 A I believe it's called DBI Pro. It's an
9 application for the tablet which the photos are
10 taken on.

11 Q Is your recollection refreshed at all by
12 reviewing this report marked as Exhibit A?

13 A No.

14 Q Apart from what you enter into the DBI
15 Pro application and upload, do you retain any
16 information related to inspections?

17 A No.

18 Q How do you bill for the inspection?

19 A Per inspection.

20 Q Do you invoice Round Hill Express or
21 something else?

22 A It is paid based on how many inspections
23 are done. So it's the same fee for every
24 inspection and then the number and the quantity
25 by the fee.

All-Star Reporters
800-329-9222

2 Q Do you have any information which would
3 indicate that you performed the inspection at
4 39-11 27th Street in Long Island City, New York?

5 A Not in front of me, no.

6 Q Do you have any information at all,
7 which confirms to you that you actually performed
8 this inspection as opposed to somebody else?

9 A No.

10 Q Did someone tell you that you performed
11 this inspection?

12 A Yes. It was four years ago you said?

13 Q Yes. I'll represent to you that your
14 attorneys and Union Mutual represented that you
15 performed this inspection on or about July 11,
16 2017.

17 The first photo in Exhibit A, do you see
18 that photo?

19 A Yes.

20 Q There's an annotation next to it that
21 says exterior. Do you see that?

22 A Yes.

23 Q Next to that it says front clean. Do
24 you see that?

25 A Yes, sir.

All-Star Reporters
800-329-9222

2 Q The photo appears to depict the front of
3 the premises at 39-11 27th Street. Do you agree
4 with that?

5 A Yes.

6 Q The gentleman in the photo, and I'm
7 going to make it a little bigger, do you have a
8 recollection of meeting an insured that looks like
9 the gentleman in the photo?

10 A No.

11 Q Based upon representation by Union
12 Mutual that you performed the inspection, is it
13 fair to say you took a photograph of the front of
14 the insured location?

15 A Yes.

16 Q I'm going to scroll to the second page.
17 This appears to be the back of the location. Do
18 you agree with that?

19 A Yes.

20 Q Based upon representation by Union
21 Mutual that you performed this inspection, it is
22 fair to say you took a photograph of the back of
23 the insured premises, correct?

24 A Yes.

25 Q The bottom photo on page 2, is it fair

All-Star Reporters
800-329-9222

2 to say you took a photograph of the front steps at
3 the location?

4 A Yes.

5 Q And depicted in that photograph are
6 also mailboxes and the insured location?

7 A I'm sorry. It only shows the sidewalk.
8 Can you go in a little closer?

9 Q Yes.

10 A I see a mailbox, yes.

11 Q Scrolling to the next page there's a
12 photo with an annotation next to it that says
13 interior. Do you see that photograph?

14 A Yes.

15 Q Are you able to tell me whether the
16 stairs are coming up from the first floor, coming
17 from the second floor to the third floor, down to
18 the basement, or something else?

19 A First floor.

20 Q How do you know it's the first floor?

21 A That is the picture I take because
22 that's the most common stairway, unless there's
23 multiple pictures of stairs for some reason.

24 Q On the first floor or the second floor,
25 do you know where the doors to the individual

All-Star Reporters
800-329-9222

2 apartments were?

3 A No.

4 Q Next there's a picture of mechanicals.

5 Do you know where the mechanicals were located at
6 the insured location?

7 A At this location I would not know for
8 sure. Most are in the basement or the first level
9 of the building.

10 Q I'm going to show you on page 4 of 5,
11 there's photos that appear to be electric meters.
12 Do you see that?

13 A I see electric meters, yes.

14 Q Is it part of your instructions to take
15 photos of the electric meters at a location?

16 A Yes.

17 Q Based upon the representation that Union
18 Mutual had advised you performed the inspection,
19 is it fair to say you took photos of these
20 electric meters?

21 A Yes.

22 Q If I represent to you that the electric
23 meters at the insured location are located in the
24 basement, would you agree that the electric meters
25 you photographed were in the basement?

All-Star Reporters
800-329-9222

2 A That would vary because, as I mentioned,
3 it could be the first floor or the basement. In
4 most properties it is the basement level.

5 Q But you have no recollection?

6 A No.

7 Q What is depicted in the bottom photos?

8 A Gas meters.

9 Q Do you know where the gas meter is
10 located at the insured location?

11 A I could not say definitively with this
12 location. Gas meters can be located in multiple
13 areas. It could be outside in the garage, it
14 could be in the basement. I cannot say
15 definitively where in this apartment they were
16 located.

17 Q Going back to the photos of the electric
18 meters, on one of the meters it says first floor
19 and on the second one there's writing that says
20 second floor. Do you see that?

21 A Yes.

22 Q If I asked you by looking at these
23 photos and based upon your recollection if there's
24 an apartment on the first floor, what would your
25 answer be?

All-Star Reporters
800-329-9222

2 A Yes.

3 Q What is that answer based upon?

4 A If it says first floor it's probably on
5 the first floor.

6 Q And the same question for the second
7 floor. If there was an electric meter which has
8 writing that says second floor, would your
9 conclusion be there is an apartment on the second
10 floor as well?

11 A Yes.

12 Q If you're taking pictures of the gas
13 meters thereafter, would it be a fair conclusion
14 that one of those gas meters is for the apartment
15 on the first floor and one is for the apartment on
16 the second floor?

17 A Yes.

18 Q I'm going to show you the bottom photo
19 on page 5 of 5. Can you tell what is depicted in
20 that photo?

21 A Boiler and hot water heater.

22 Q Are you able to tell me where the boiler
23 and hot water heater are located at the insured
24 premises?

25 A As I mentioned, it's either the basement

All-Star Reporters
800-329-9222

2 or the first floor.

3 Q When you say the basement or the first
4 floor, do you mean the lowest floor or it could be
5 located in the basement or on the first floor?

6 A It could be located in the basement or
7 on the first floor.

8 Q Looking at this photo, and I'll zoom in,
9 are you able to determine the location of this
10 heating equipment by virtue of the fact that there
11 appears to be a concrete floor in the photo?

12 A Yes.

13 Q And the fact that there's a concrete
14 floor in the photo, what does that indicate to
15 you?

16 A It's most likely the basement.

17 Q If I represented to you that the gas
18 meters are in the basement, would that lead you to
19 conclude that you did, in fact, go into the
20 basement?

21 A Yes.

22 Q Do you know how you entered into the
23 basement at the time you performed the inspection?

24 A No.

25 Q Apart from the photographs depicted in

All-Star Reporters
800-329-9222

2 this five page report provided by Union Mutual,
3 are you aware of any other photographs that you
4 took on that day?

5 A No.

6 Q Again, you don't have any independent
7 recollection of actually performing the
8 inspection?

9 A No.

10 Q You understand when I refer to the
11 insured location that we're referring to 39-11
12 27th Street, Long Island City, New York, correct?

13 A Yes.

14 Q When is the first time you were
15 contacted with regard to this inspection? I'm
16 speaking about in connection with the litigation
17 that's been commenced and underway?

18 A In the last two to three weeks.

19 Q Who initially contacted you?

20 A The attorney's firm that is representing
21 me.

22 Q How long after that first conversation
23 did Hurwitz and Fine or the attorney in the room
24 commence representing you?

25 A I'm sorry. Can you repeat that

 All-Star Reporters
 800-329-9222

2 question?

3 Q You were contacted by counsel and at one
4 point after being contacted did that attorney
5 begin representing you?

6 A Upon being told that there was a
7 deposition.

8 Q Prior to being told there was a
9 deposition what, if anything, did you discuss?

10 A Nothing.

11 Q Did they ask you if you performed this
12 inspection?

13 A No.

14 Q Did they tell you performed this
15 inspection?

16 A I was told that it was an inspection I
17 had performed and that there was a deposition
18 linked to this case that needed to be performed
19 and when was I available for it.

20 Q In reviewing these photos are you able
21 to tell us where in the insured location you
22 walked?

23 A No.

24 Q But you were at least on the first floor
25 and at least in the basement, is that fair?

All-Star Reporters
800-329-9222

2 A Yes.

3 Q Who is your contact at Round Hill
4 Express should you have any issues or questions or
5 otherwise?

6 A The contact number for the office.

7 Q Is there an individual that serves as
8 your liaison or your contact?

9 A No.

10 Q If you have a question regarding an
11 inspection you just call Round Hill and ask to
12 speak to anyone or is there anyone in particular?

13 A I can speak with any of the people
14 working in the office.

15 Q Do you issue Round Hill an invoice
16 before you can get paid or is payment automatic or
17 something else?

18 A Payment is automatic based on the number
19 of inspections done multiplied by price per
20 inspection, which is the same.

21 MR. AGULNICK: Give me five
22 minutes. I may be coming to a
23 conclusion.

24 (Whereupon, a discussion was held off
25 the record.)

All-Star Reporters
800-329-9222

2 Q Mr. Harper, I'm going to direct you to
3 the first page of Plaintiff's Exhibit A,
4 specifically the writing which says report
5 reviewed and assembled on July 11, 2017.

6 Do you know what that indicates, meaning
7 who would have reviewed it and assembled it?

8 A No.

9 Q Is it your belief that would have been
10 someone at Round Hill Express or Union Mutual?

11 A Yes.

12 Q Mr. Harper, I'm going to ask you to
13 perform a search for the email assignment
14 pertaining to this inspection, your email, and all
15 documents related to the inspection of 39-11 27th
16 Street and provide the results of that inspection
17 to Mr. Boron or his colleagues. Understood?

18 A Just so you know, the only information
19 that I would have in my records pertaining to
20 would be the address, the time and the phone
21 number, as for every address I did an inspection
22 of that day. I wouldn't have any other details in
23 my computer.

24 Q Whatever you do locate, just provide
25 that to Mr. Boron or his colleagues.

 All-Star Reporters
 800-329-9222

2 A If you can just give me the date again
3 for me to look.

4 Q I'll represent that the report says
5 report reviewed and assembled on July 11, 2017.

6 A Got it.

7 Q Sir, what is your highest level of
8 education?

9 A Master's.

10 Q A Master's in what?

11 A Elementary Education.

12 Q Did you participate in any formal
13 training with regard to inspections for insurance
14 purposes?

15 A Yes.

16 Q Where did you have such training?

17 A I shadowed an employee for the company
18 for the first month and was trained.

19 Q Who was that employee?

20 A Todd Harper.

21 Q I'm going to take a shot in the dark
22 here. Brother?

23 A No.

24 Q Cousin?

25 A No, not really. We just have the same

All-Star Reporters
800-329-9222

2 last name. We went to school together, but we
3 have no biological relation.

4 Q So Todd Harper took you around for a
5 month and showed you the ropes?

6 A Yes, sir.

7 Q When you performed the inspections in
8 July 2017 were you solo or did you have a
9 ride-along or a companion or anything else?

10 A Solo.

11 Q When you perform the inspections do you
12 take any type of handwritten notes on a pad or
13 otherwise, apart from the entries you upload to
14 Round Hills system?

15 A No.

16 (Continued on following page to
17 accommodate jurat and signature.)
18
19
20
21
22
23
24
25

All-Star Reporters
800-329-9222

2 MR. AGULNICK: Sir, I thank you
3 for your time today. If you do locate
4 any documentation, and I trust you will
5 do a diligent search for that, that you
6 provide it. Otherwise, stay safe, stay
7 well.

8 (TIME NOTED: 2:48)

9
10 _____
11 Frederick V. Harper

12 Subscribed and sworn to before me
13 this _____ day of _____, 2021
14
15

16 _____
17 Notary Public
18
19
20
21
22
23
24
25

All-Star Reporters
800-329-9222

I N D E X

EXAMINATION BY	PAGE
----------------	------

Mr. Agulnick	6-29
--------------	------

PLAINTIFF'S EXHIBITS FOR ID	PAGE
-----------------------------	------

A Report	13
----------	----

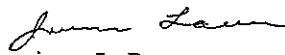
All-Star Reporters
800-329-9222

C E R T I F I C A T E

I, Janine LaRocco, a Shorthand Reporter
and Notary Public, do hereby certify:

That I was the reporter for the within
action and that this transcript is a true
and accurate record of the within
proceedings.

IN WITNESS WHEREOF, I have hereunto
set my hand this 13th day of July 2021


Janine LaRocco

All-Star Reporters
800-329-9222

& 2:3,12 6:15	ago 11:21 16:12	apartment 20:15,24 21:9,14,15 (5)	(4)	24:4,6,8 (4)
13th 31:11	agree 5:20,22 17:3,18 19:24 (5)	apartments 19:2	attorney's 23:20	belief 26:9
27th 11:15 16:4 17:3 23:12 26:15 (5)	agreed 3:2,16 4:3	appear 19:11	attorneys 2:4 3:3 5:2 16:14 (4)	believe 15:8
able 18:15 21:22 22:9 24:20 (4)	agreement 5:16,17 8:15	appearing 8:12	automatic 25:16,18	bigger 17:7
about 10:11 16:15 23:16	agulnick 2:3,7 5:19,20 6:12,14,15 8:18 12:19 13:10,21 25:21 29:2 30:4 (14)	appears 17:2,17 22:11	available 24:19	bill 15:18
abovementioned 1:19	allow 13:7	application 15:9,15	avenue 6:9	billing 8:17
accommodate 28:17	allstar 1:25 2:25 3:25 4:25 5:25 6:25 7:25 8:25 9:25 10:25 11:25 12:25 13:25 14:25 15:25 16:25 17:25 18:25 19:25 20:25 21:25 22:25 23:25 24:25 25:25 26:25 27:25 28:25 29:25 30:25 31:25 (31)	appointments 10:8,15	average 12:2	biological 28:3
accurate 31:8	along 10:17	approximately 7:7 12:3,16	aware 23:3	blanket 13:14,15,16
acknowledge 5:4,7	also 18:6	are 3:9 6:19 7:3,8,24 8:4 9:23 10:7 12:14,15,24 15:9,23 18:5,15,16 19:8,23 21:22,23 22:9,18 23:3 24:20 (24)	back 9:20 13:10,12 17:17,22 20:17 (6)	boiler 21:21,22
action 3:14 6:16 31:7	am 5:4 10:13	areas 20:13	bar 3:12	boron 2:16 5:21,22 26:17,25 (5)
actual 7:8	among 3:3	around 28:4	based 15:22 17:11,20 19:17 20:23 21:3 25:18 (7)	both 12:12
actually 14:17 16:7 23:7	ann 1:4 9:5	arrangement 5:13	basement 18:18 19:8,24,25 20:3,4,14 21:25 22 :3,5,6,16,18,20,23 24:25 (16)	bottom 14:7 17:25 20:7 21:18 (4)
addition 3:10	annotation 16:20 18:12	ask 6:18 24:11 25:11 26:12 (4)	basically 10:6	boulevard 2:5
address 9:25 10:4 11:20 26:20,21 (5)	answer 20:25 21:3	asked 20:22	basis 10:14 11:23 12:2	break 6:22
administered 5:8	anyone 25:12,12	assembled 26:5,7 27:5	because 13:8 18:21 20:2	brick 10:11
advised 19:18	anything 24:9 28:9	assigned 9:23,24 11:16	before 1:16,19 3:18,19 8:9 13:8 14:8 25:16 29:12 (9)	broke 10:23
after 23:22 24:4	apart 7:25 15:14 22:25 28:13 (4)	assignment 10:12 26:13	begin 24:5	brother 27:22
afternoon 6:13		attorney 2:13 6:14 23:23 24:4	being 3:20	brought 6:16
again 9:14 13:6 23:6 27:2 (4)			basement 18:18 19:8,24,25 20:3,4,14 21:25 22 :3,5,6,16,18,20,23 24:25 (16)	buffalo 2:15
against 1:6 6:16			basically 10:6	building 2:14 19:9
agents 10:7			basis 10:14 11:23 12:2	c 1:25 31:2,2
			because 13:8 18:21 20:2	call 25:11
			before 1:16,19 3:18,19 8:9 13:8 14:8 25:16 29:12 (9)	called 6:2 15:8
			begin 24:5	calls 10:14
			being 3:20	
			being 3:18	

can 6:24 9:14 11:9 12:19 13:9 18:8 20:12 21:19 23:25 25:13,16 27:2 (12)	conclude 22:19	cplr 3:6,24	direct 26:2	email 10:21 12:25 13:3,4 26:13,14 (6)
can't 6:25 14:9	conclusion 21:9,13 25:23	d 30:2	discuss 24:9	emailed 10:16,17 11:11
cannot 20:14	concrete 22:11,13	daily 10:13	discussion 12:21 25:24	emails 10:25 11:4,7,9 (4)
case 9:8 24:18	confirms 16:7	date 10:2,5 13:25 27:2 (4)	district 1:2,3	employed 7:3,5
certification 4:4	connection 8:23 10:21 12:4 15:6 23:16 (5)	day 23:4 26:22 29:2021 31:11 (4)	documentation 29:4	employee 7:8 27:17,19
certify 31:5	consent 5:12	dbi 15:8,14	documents 8:23 9:3 26:15	employment 7:25 13:18
charge 4:9	contact 10:2,4 25:3,6,8 (5)	deceive 6:20	does 11:25 14:10 22:14	engaged 7:24
charged 8:16	contacted 23:15,19 24:3,4 (4)	declare 5:10	done 15:23 25:19	englert 8:11
check 9:20	contained 10:3 14:25	deem 14:3	doors 18:25	enter 15:14
city 11:15 16:4 23:12	continued 28:16	deemed 3:23 13:22 14:18	down 6:24,25 13:9 18:17 (4)	entered 22:22
clean 16:23	contractor 7:9,10	defendant 1:8 2:13	dozen 12:18	entries 28:13
closer 18:8	controlled 3:25	defending 8:13,19	duly 6:3 8:21	equipment 22:10
cloud 12:12	conversation 23:22	definitively 20:11,15	e 1:25,25 2:7 30:2 31:2,2 (6)	eric 2:16 5:21
colleagues 26:17,25	copy 4:6	depict 17:2	each 11:25 12:4 13:4	esq 2:7,16
coming 18:16,16 25:22	correct 7:23 14:23,24 15:3,4 17:23 23:12 (7)	depicted 18:5 20:7 21:19 22:25 (4)	eastern 1:3	etc 6:25
commence 23:24	could 20:3,11,13,14 22:4,6 (6)	deposition 3:17 5:3,5,6 8:14 9:10 24:7,9,17 (9)	education 27:8,11	event 8:20
commenced 23:17	counsel 3:22 4:7 5:12 8:5,7 24:3 (6)	designed 6:19	either 21:25	ever 10:24 11:14 14:7
common 18:22	court 1:2 5:2 6:23 13:8 (4)	details 9:8 26:22	electric 19:11,13, 15,20,22,24 20:17 21:7 (8)	every 15:23 26:21
companies 7:18	cousin 27:24	determine 22:9	elementary 27:11	examination 1:16 3:9,12,20,22 4:5 6:11 30:3 (8)
companion 28:9		device 12:7,12,15	else 12:13 13:2 14:14 15:21 16:8 18:18 25:17 28:9 (8)	examined 3:18 6:3
company 7:11,22 10:7 27:17 (4)		diligent 29:5		exclusively 7:21
computer 26:23				

exhibit 13:22,24 14:3,18 15:12 16:17 26:3 (7)	22:2,3,5,7 23:14,22 24:24 26:3 27:18 (24)	gestures 6:25	here 8:4,22 9:2,7,9 27:22 (6)	23:15,25 26:2,12 27:21 (21)
exhibits 30:7	five 23:2 25:21	get 25:16	hereby 3:2,16 4:3 31:5 (4)	id 30:7
explain 11:9	floor 18:16,17,17 ,19,20,24,24 20:3,18,20,24 21:4 ,5,7,8,10,15,16 22:2,4,4,5,7,11,14 24:24 (26)	given 9:25 10:13,15,19 (4)	herein 4:8	identification 13:25
express 7:4,6,9,18,19,21 8:2 9:13,17 12:15 14:22 15:20 25:4 26:10 (14)	follow 9:12,16	go 18:8 22:19	hereto 3:4	including 3:7
exterior 9:18 16:21	following 28:16	going 6:18 8:16 14:2,2 17:7,16 19:10 20:17 21:18 26:2,12 27:21 (12)	hereunto 31:10	independent 7:9,10 23:6
f 31:2	follows 6:4	good 6:13	highest 27:7	indicate 5:16 16:3 22:14
fact 8:20 22:10,13,19 (4)	form 14:16,18	got 27:6	hill 7:4,6,8,15,18, 19,21 8:2 9:12,17 12:15 14:22 15:5,20 25:3,11,15 26:10 (18)	indicates 26:6
failure 3:10,21	formal 27:12	great 2:6	hill's 15:3	individual 18:25 25:7
fair 17:13,22,25 19:19 21:13 24:25 (6)	four 11:21 16:12	greenblatt 2:3 6:15	hills 28:14	information 10:3,9,18 14:12,15,17,25 15:2,16 16:2,6 26:18 (12)
far 9:18 11:13	frame 10:11	greenridge 6:9	him 8:15	initially 23:19
fee 15:23,25	fred 1:4 9:5	hand 6:25 31:11	his 5:10 26:17,25	inside 9:21
fifty 11:24	frederick 1:17 6:2,7 7:12,13 29:10 (6)	handwritten 28:12	home 9:19	inspect 7:16 12:23
files 14:22	front 9:20 16:5,23 17:2,13 18:2 (6)	happened 11:7	hot 21:21,23	inspection 9:4,9,17 10:21,25 11:14,18,25 12:4,17 13:5 15:18,19,24 16:3,8,11,15 17:12,21 19:18 22:23 23:8,15 24:12,15,16 25:11,20 26:14,15,16,21 (33)
filing 4:4	fullsized 14:21	harper 1:17 6:2,7,13 7:3,12,13 8:13 26:2,12 27:20 28:4 29:10 (13)	house 10:10	inspections 7:20,25 9:12 11:20,22 12:14 15:6,16,22 25:19 27:13 28:7,11 (13)
finding 8:20	furnish 14:18	has 21:7	how 7:5 9:23 10:12 11:22,25 12:16,24 15:18,22 18:20 22:22 23:22 (12)	
fine 2:12 23:23	furnished 4:7	having 6:2	hurwitz 2:12 23:23	
finish 13:7	further 5:7	he's 8:15,18	i'd 13:21	
fire 1:7	garage 20:13	heater 21:21,23	i'll 14:6 16:13 22:8 27:4 (4)	
firm 6:14 23:20	gas 20:8,9,12 21:12,14 22:17 (6)	heating 22:10	i'm 6:14,18 9:9,14,25 10:15,19,23 12:19 13:6 14:2 17:6,16 18:7 19:10 21:18	
first 8:7 13:17,18 16:17 18:16,19,20,24 19:8 20:3,18,24 21:4,5,15	generates 14:13	held 1:10,18 12:21 25:24 (4)		
	gentleman 17:6,9			

instructions 12:23,25 13:14,15,17 19:14 (6)	job 9:19	likely 22:16	(7)	17:12,21 19:18 23:2 26:10 (9)
insurance 1:7 7:16,18 10:7 27:13 (5)	july 11:5,8,11 16:15 26:5 27:5 28:8 31:11 (8)	limited 8:12	may 3:17 25:22	my 5:19,21 6:13,19,21 9:19 11:9,10 12:15 13:7 26:19,23 31:11 (13)
insured 17:8,14,23 18:6 19:6,23 20:10 21:23 23:11 24:21 (10)	june 1:13 11:4,7,11 (4)	linked 24:18	me 6:21 10:16 13:7 16:5 18:15 21:22 23:21 25:21 27:2,3 29:12 (11)	n 1:25 30:2
interface 15:7	jurat 28:17	little 17:7 18:8	mean 22:4	name 5:17,19,21 6:6,13 10:6 15:6 28:2 (8)
interior 9:19 18:13	just 7:12,13,18,19 9:8 10:10 12:20 15:2 25:11 26:18,24 27:2,25 (13)	locate 26:24 29:3	meaning 26:6	nature 7:14
into 14:16 15:14 22:19,22 (4)	kept 12:15	located 19:5,23 20:10,12,16 21:23 22:5,6 (8)	mechanicals 19:4,5	neck 2:6
invoice 15:20 25:15	kind 6:25 10:10	location 11:18 17:14,17 18:3,6 19:6,7,15,23 20:10,12 22:9 23:11 24:21 (14)	meeting 17:8	needed 24:18
is 3:2,13,16 4:3 5:10,19,21 6:13 7:12,14 8:19 9:11,15,19 10:3,11,15,17 11:10 13:4 14:15 15:3,6,11,22 17:12,21,25 18:21 19:14,19 20:4,7,9 21:3,9,14,15,19 23:14,20 24:25 25:3,7,12,16,18,20 26:9 27:7 31:7 (51)	know 6:21,23 9:7 18:20,25 19:5,7 20:9 22:22 26:6,18 (11)	long 7:5 11:15,25 16:4 23:12,22 (6)	mentioned 20:2 21:25	new 1:3,20 2:6,15 6:9 11:15 16:4 23:12 (8)
island 11:15 16:4 23:12	larocco 31:4,14	look 9:19 14:10 27:3	meter 20:9 21:7	meters 19:11,13, 15,20,23,24 20:8,12,18,18 21:13,14 22:18 (13)
issue 25:15	last 23:18 28:2	looking 14:16 20:22 22:8	minutes 12:3 25:22	next 16:20,23 18:11,12 19:4 (5)
issues 25:4	law 6:14	looks 17:8	mission 8:20	no 7:21 8:3,19,25 9:6 11:3,6,19,21 14:9,20 15:13,17 16:5,9 17:10 19:3 20:5,6 22:24 23:5,9 24:13,23 25:9 26:8 27:23,25 28:3,15 (30)
itinerary 9:25 10:4,13,17 11:11,13 (6)	lead 22:18	lowest 22:4	month 27:18 28:5	nonparty 1:17 8:18
janine 31:4,14	least 24:24,25	mailbox 18:10	most 18:22 19:8 20:4 22:16 (4)	northern 2:5
	lee 1:4,4 9:5 10:21,25 (5)	mailboxes 18:6	motion 3:13	notary 1:19 3:18,19 29:17 31:5 (5)
	let 6:21,23	make 3:13 17:7	move 3:8,11	notations 15:2
	level 19:8 20:4 27:7	manner 5:14	multiple 18:23 20:12	noted 8:21 29:8
	liaison 25:8	many 11:19,22 12:16 15:22 (4)	multiplied 25:19	notes 28:12
	liberty 2:14	marked 13:22,23 14:3,18 15:12 (5)	mutual 1:7 6:17 8:17 16:14	
	lieu 5:8	master's 27:9,10		
	like 6:22 13:21 14:10 17:8 (4)	matter 5:10 8:5,8,24 9:7,23,24		

nothing 24:10	pad 28:12	person's 10:6	point 10:20 24:4	pursuant 1:18
now 14:4	page 17:16,25 18:11 19:10 21:19 23:2 26:3 28:16 30:3,7 (10)	pertaining 26:14,19	portal 14:12 15:3,5	put 14:16
number 10:2,4 15:24 25:6,18 26:21 (6)	paid 15:22 25:16	phone 26:20	premises 17:3,23 21:24	quantity 15:24
oath 5:8	part 14:5 19:14	photo 14:21 16:17,18 17:2,6,9,25 18:12 21:18,20 22:8,11,14 (13)	present 5:5	question 3:8,11 11:10 13:8 21:6 24:2 25:10 (7)
object 3:7,10	participate 27:12	photograph 17:13,22 18:2,5,13 (5)	presently 6:8	questions 6:19,19,21 25:4 (4)
objections 5:13	participating 5:3	photographed 19:25	price 25:19	r 1:25 31:2
observe 12:24	particular 9:11,15 25:12	photographs 14:12 22:25 23:3	prior 8:22 9:2 24:8	read 13:10,12
occupation 7:24	parties 3:4 5:11	photos 12:5,8,10,11,16 15:9 19:11,15,19 20:7,17,23 24:20 (13)	pro 15:8,15	really 27:25
off 12:22 25:24	pause 12:20	physically 5:4	probably 8:9 12:18 21:4	reason 6:23 18:23
office 10:14 25:6,14	payment 25:16,18	picture 18:21 19:4	procedure 9:16	reasons 9:22
one 11:20 13:9 20:18,19 21:14,15 24:3 (7)	pc 2:3,12	pictures 18:23 21:12	proceedings 31:9	recall 14:9
only 6:24 13:9 18:7 26:18 (4)	penalty 5:11	place 1:19 10:15	process 9:11,15	receive 10:12,20 13:16
ooo 2:25 4:10	people 25:13	plaintiffs 13:22,24 14:3 26:3 30:7 (5)	product 14:10	received 12:25
operate 7:11	per 15:19 25:19	plaintiff's 13:22,24 14:3 26:3 30:7 (5)	program 15:7	recollection 11:17 15:11 17:8 20:5,23 23:7 (6)
opposed 16:8	perform 7:15,17,20 9:3,12,16 10:24 11:14,19 26:13 28:11 (11)	plaintiffs 2:4 6:16	properties 7:16 20:4	record 5:18 6:6 8:11 12:22 13:12 25:25 31:8 (7)
order 1:18	performed 9:4,9 16:3,7,10,15 17:12,21 19:18 22:23 24:11,14,17,18 28:7 (15)	plains 6:9	property 9:4 10:18,22 11:2 12:24 (5)	records 26:19
original 3:21 4:5	performing 11:17 23:7	please 5:16 6:6,21,23 13:11 (5)	provide 26:16,24 29:6	refer 23:10
other 3:19 7:17,21,24 10:4,9 23:3 26:22 (8)	perjury 5:11		provided 3:6,23 23:2	referring 23:11
otherwise 25:5 28:13 29:6	person 5:9		public 1:20 3:19,19 29:17 31:5 (5)	refreshed 15:11
outside 9:20 10:10 20:13			purpose 8:12	regard 8:5,8 10:18 23:15 27:13 (5)
owned 9:4			purposes 27:14	regarding 25:10
p 1:25,25				

related 15:16 26:15	23:20,24 24:5 (4)	same 4:6 15:23 21:6 25:20 27:25 (5)	sets 10:14	13:2 14:13 15:21 18:18 25:17 (6)
relating 10:25	reserved 3:9,14		seven 7:7	sorry 9:14 10:23 12:19 13:6 18:7 23:25 (6)
relation 28:3	reside 6:8	samsung 12:9,10	shadowed 27:17	speak 25:12,13
relevant 9:3	respective 3:3	save 12:11,12	shall 3:12,22,24 4:5,7 (5)	speaking 23:16
remember 11:20	responses 6:24	say 9:14 11:9 13:4,6 17:13,22 18:2 19:19 20:11,14 22:3 (11)	she 6:24	specific 11:20
remotely 5:7	results 26:16		shorthand 31:4	specifically 26:4
repeat 10:23 23:25	retain 8:7 15:15	says 11:16 16:21,23 18:12 20:18,19 21:4,8 26:4 27:4 (10)	shot 27:21	st 2:5
rephrase 6:22	retainer 8:14	schedule 10:19	should 25:4	stairs 18:16,23
report 13:23 14:7,11,13 15:2,12 23:2 26:4 27:4,5 30:8 (11)	review 8:23	school 28:2	show 14:2 19:10 21:18	stairway 18:22
reporter 5:2 6:5,24 13:9,13 31:4,6 (7)	reviewed 26:5,7 27:5	scott 2:7 5:19 6:12,14 (4)	showed 28:5	stairways 9:21
reporters 1:25 2:25 3:25 4:25 5:25 6:25 7:25 8:25 9:25 10:25 11:25 12:25 13:25 14:25 15:25 16:25 17:25 18:25 19:25 20:25 21:25 22:25 23:25 24:25 25:25 26:25 27:25 28:25 29:25 30:25 31:25 (31)	reviewing 15:12 24:20	screen 14:4	shows 18:7	start 13:8 14:6
reporting 5:6,14	ridealong 28:9	scroll 14:6 17:16	sidewalk 9:20 18:7	state 1:20 6:6
represent 6:15 16:13 19:22 27:4 (4)	right 3:7	scrolling 18:11	signature 28:17 31:14	states 1:2
representation 17:11,20 19:17	rights 3:6,23	search 9:3 10:24 26:13 29:5 (4)	signed 8:15	stating 5:17
represented 8:5 16:14 22:17	room 5:5 23:23	second 12:20 17:16 18:17,24 20:19,20 21:6,8,9,16 (10)	signed 8:15	stay 29:6,6
representing 4:8	ropes 28:5	see 14:4,5,17 16:17,21,24 18:10,13 19:12,13 20:20 (11)	simply 14:11	steps 18:2
	round 7:4,5,8,15, 18,19,21 8:2 9:12,17 12:14 14:22 15:3,5,20 25:3,11,15 26:10 28:14 (20)	seen 14:7	sir 16:25 27:7 28:6 29:2 (4)	still 11:4,12
	rules 3:24	series 6:18	sit 8:4	stipulated 3:2,16 4:3
	s 1:25	serves 25:7	so 3:21 7:20 11:20 15:23 26:18 28:4 (6)	street 11:15 16:4 17:3 23:12 26:16 (5)
	safe 29:6	services 7:17	some 14:12 18:23	strike 3:8,11
	safety 9:21	set 10:7 31:11	somebody 16:8	submit 14:11
	said 16:12		someone 16:10 26:10	submitted 14:22 15:3
			something 12:12	subscribed 29:12

such 3:13 27:16	thereby 3:25 4:6	two 8:9 23:18	verbally 5:9 13:3	whereupon 12:21 13:12,23 25:24 (4)
sure 19:8	these 7:20 15:6 19:19 20:22 24:20 (5)	type 28:12	via 1:10	whether 18:15
sworn 3:17 6:3 29:12	third 18:17	typical 12:17	virtue 22:10	which 14:13 15:9 16:2,7 21:7 25:20 26:4 (7)
synched 12:14	thirty 11:24	under 5:11 7:12	waive 5:13	white 6:9
system 28:14	those 7:17 12:11,24 13:16 14:22 21:14 (6)	understand 6:21 23:10	waived 4:6	who 10:6,7 23:19 25:3 26:7 27:19 (6)
t 2:16 31:2,2	three 8:9 23:18	understood 26:17	waiver 3:13,23	whom 3:20 7:3
tablet 12:9,11 15:9	time 1:19 10:2,5,15,20 13:17 22:23 23:14 26:20 29:3,8 (11)	underway 23:17	walked 24:22	will 5:6,9 29:4
take 6:24,25 11:25 12:5,7,17 13:9 18:21 19:14 27:21 28:12 (11)	today 6:19 8:4,10,22 9:2 14:3 29:3 (7)	unfortunately 11:19	water 21:21,23	within 31:6,8
taken 1:17 15:10	todd 27:20 28:4	union 1:7 6:16 8:17 16:14 17:11,20 19:17 23:2 26:10 (9)	we'll 6:22 8:16	without 4:8
taking 21:12	together 28:2	united 1:2	we're 8:12 14:2,16 23:11 (4)	witness 1:17 3:18 4:8 5:9 6:2 8:19 31:10 (7)
tell 16:10 18:15 21:19,22 24:14,21 (6)	told 24:6,8,16	unless 18:22	weekly 11:23	work 7:14 8:17 14:10
ten 12:3	took 12:10 17:13,22 18:2 19:19 23:4 28:4 (7)	up 10:7,23 12:14 18:16 (4)	weeks 8:9 23:18	working 25:14
testified 6:3	top 14:6	upload 14:11,15 15:15 28:13 (4)	well 21:10 29:7	would 11:12 14:21 16:2 19:7,24 20:2,24 21:8,13 22:18 26:7,9,19,20 (14)
testifying 8:22 9:2	trained 27:18	uploaded 14:21	went 28:2	wouldn't 26:22
testimony 3:8,11 5:10	training 27:13,16	upon 17:11,20 19:17 20:23 21:3 24:6 (6)	what 7:14 9:7 10:3,10 11:7 12:7,23 13:19 14:2,4 15:14 20:7,24 21:3,19 22:14 24:9 26:6 27:7,10 (20)	writing 20:19 21:8 26:4
than 3:19 10:4	transcript 4:7 31:7	us 6:23 13:9 24:21	whatever 6:23 26:24	x 30:2
thank 29:2	trial 1:16 3:14	utilities 9:21	when 8:7 9:12,16,23 11:9 13:4,16 22:3 23:10,14 24:19 28:7,11 (13)	year 13:18,19
their 5:12	trick 6:20	utilizes 15:5	where 6:8 18:25 19:5 20:9,15 21:22 24:21 27:16 (8)	years 7:7 11:21 16:12
there's 8:19 16:20 18:11,22 19:4,11 20:19,23 22:13 (9)	true 31:7	v 1:17 6:2,7 29:10 (4)	whereof 31:10	yes 8:6 9:18 10:19 11:13,16 12:6
thereafter 14:13 21:13	trust 29:4	vary 20:2		
		verbal 6:24 12:25		

16:12,13,19,22,25 17:5,15,19,24 18:4,9,10,14 19:13,16,21 20:21 21:2,11,17 22:12,21 23:13 25:2 26:11 27:15 28:6 (33)	10605 6:10 11021 2:6 14202 2:15			
york 1:3,20 2:6,15 6:10 11:15 16:4 23:12 (8)				
you'd 6:22				
you're 9:7,23 21:12				
your 5:16,17 6:6 10:25 11:4,7 14:10 15:11 16:13 19:14 20:23,24 21:8 25:3,8,8 26:9,14 27:7 29:3 (20)				
zoom 1:10 22:8				
248 29:8				
302 2:5				
629 30:4				
1300 2:14				
2014 13:20				
2017 11:5,8,11 12:7,11 16:16 26:5 27:5 28:8 (9)				
2021 1:13 29:2021 31:11				
3116 3:24				
3117 3:24				
3911 11:15 16:4 17:3 23:11 26:15 (5)				

LAWYER'S NOTES PERTAINING TO EBT